



possible. With further reduction of the parking area to 7 ½ feet and counting the gutter pan as part of the parking area, that allows the tree lawn to expand to 5 feet wide. That would make the minimum tree lawn width be 5 feet and would expand to 13 foot width at the intersections. Though Mr. Sims is uncomfortable with the new narrow width of the parking area, he feels this would be an appropriate compromise. To accomplish this, the sidewalks have been reduced from 5' to 4' and were moved closer to the right of way line.

Dr. Bender asked Mr. Sims if he was satisfied with the changes. Mr. Sims replied that he was not tremendously comfortable with the narrower parking area. Mr. Matt Peoples and Mr. Sims intend on approaching Faith United Methodist about keeping their parking area at 8 ½' due to the high volume of people getting in and out there with very small children.

Mr. Sims also stated that parking violations would need to be strictly enforced in that area, as anyone parking away from the curb would be impeding traffic in the travel lanes, which would then force traffic left of center to maneuver around.

**Mike Vasko**, of 65 W. Columbus Street, appreciates the time and effort put in by staff to try to make this something workable. However, the problem with this whole thing is the process. This project was worked on for two years and unveiled to the public on December 12<sup>th</sup>, 2007. Five days later, it was sent out to bid. The public has been cheated out of their opportunity to have a say. The Council has gotten themselves into a situation where any delay in the process will cost them money and negative points on future projects. The character of Columbus Street is being sacrificed for a few bucks.

Beyond the process, the flaw in this project is that it is based on a traffic study that is no longer valid. Mr. Vasko has spent over 20 hours in the last two weeks on his porch counting cars. During the peak two hour period in the morning, there are between 330- 350 cars. It is a similar number during the peak afternoon hours. During the rest of the hours of the day, the counts are more like 35 cars. Mr. Vasko believes that the true numbers are 2000 – 2400 cars a day as opposed to the 3000- 3600 that the traffic study reported.

If the traffic is only 2400 cars a day, Mr. Vasko believes that is the threshold for lane width. Once there are 3000 cars a day, it requires 11' travel lanes. But if the true count is more like 2400 cars a day, 9' lanes would be acceptable. That is still 1' wider than it is now and would result in only 6" loss of tree lawn, thus retaining the character of Columbus Street. Mr. Vasko believes that most residents would find that acceptable.

Mr. Vasko would like Council to return the money and kick this project to a future year. Then, the residents would have time to speak and if it stood up to their tests, it could move forward at a later date.

The 5' concession for the tree lawn is barely tolerable in Mr. Vasko's opinion. Mr. Vasko and Mr. Bender are requesting that the parking in front of their houses be removed to save their tree lawn. Staff disagreed because of future resident's desire to park.

**Carol DeGrasso** lives at 132 W. Columbus Street, the dead end, and is acutely aware of the cars that turn around in her front yard everyday. When January came around she was struck by the silence. With the school no longer in use, the hundreds of cars in the area are simply gone. Ms. DeGrasso would like the proposition of limiting parking to one side be brought up with residents on her block on Columbus Street. She doesn't understand the need to degrade the integrity of the neighborhood in order to make a speedway for motorists. She wants to maintain the historic value of the homes and community and it sounds like residents are willing to make concessions to their parking in order to do that. Ms. DeGrosso also wants to thank Mr. Sims and Mr. Peoples for taking time to meet with her.

**Paul Bender**, of 71 W Columbus Street, thanked Council for the opportunity to speak again. He is echoing the sentiments that he held last week. First, he wanted to express his appreciation for all the work that staff has put into this project and, in no way, does he want to undercut their effort. Mr. Bender stated that something just went wrong this time and the residents were uninformed.

Mr. Bender talked with 12 of the 16 homes up to High Street and 11 of them were unsatisfied with the project. This underscores a problem with communication. The first comment he heard from residents was that they didn't have enough notice or time to voice their opinions. Mr. Bender stated he is speaking on behalf of other people at the meeting that are too shy to speak in front of a crowd. The second comment that rang out was disbelief at the proposed widening the road from 33' to 42'. Mr. Bender was happy to learn about the modifications to the projects that have come to be in the last week, though he would still like that the new numbers be given to the residents and the residents be given time to go over them and comment.

This has been a public relations problem. He would like that the residents be given definitive numbers and told how this will affect their property and that the residents are able to have their voices heard. If that is possible, he believes the process should be delayed to accommodate that.

Mr. Bender would also like to give up their bump-in for parking in order to save the tree lawn in front of their homes.

Mr. Bender would like the traffic study looked at again. He has also been counting cars. Last Tuesday, between 5-6pm, there were 241 cars and Thursday morning between 7-8am there were 272 cars, but between 8-8:30am the number dropped to 75. We are not supporting, even at peak hours, the numbers that would get us to 3500 cars a day.

**Matt Floyd**, of 7516 Jenkins in Ashbrook, wanted to speak for these residents. He believes the possibility of making Columbus Street a one-way street should be looked into. There are many other access points and it is such a short street, that this may be a solution.

**Joe Abbott**, of 59 W. Columbus Street, is in favor of the project. He believes the Village of Canal Winchester is trying to compromise. He bought his home on Columbus Street approximately a year ago because he knew the project would be coming up. He would hate to see it delayed. He is the first to agree on the value of the historical charm of the area, but he believes the project will make the area much nicer, especially with the compromises brought forth from the Village.

**Craig Kahle**, of 54 Liberty Street, has lived in the Columbus Street area for the last year and a half and has never seen a traffic problem. His opinion is that he likes the street just the way that it is.

Ms. Mershon stated that if there are residents on Columbus Street that do not want parking in front of their houses, they should be accommodated. It should not be based on the possible desires of future residents.

Mr. Jarvis replied that the concept sounds good, but what does that do to the project. He asked, "Does that latitude exist?"

Mr. Peoples replied that the concept is not supported on a staff level for various reasons. The proposal as it is brought forth reduces to only 2 parking spots for 5 houses which would be highly valued spots. The bump-outs are designed to have an even look on either side of the street. Changing the parking would throw off that visual balance. Also, there is the consideration of property owners arguing about the parking.

Mr. Peoples wanted to add that the project schedule was set with the application when it was turned in in September 2006. This was not rushed or entered into hastily. Also, the project was not bid 5 days after the public information session on December 12<sup>th</sup>, 2007. The first bid was taken on January 9<sup>th</sup>, 2008 and the second bid was on January 16<sup>th</sup>, with the actual bid opening being January 25<sup>th</sup>, 2008.

Mr. Peoples also asked that Mr. Steve Farst explain the 9 foot lane with regards to the traffic count, as it was not his understanding that 2000 cars a day meant an acceptable width of 9 feet.

Mr. Steve Farst stated that the traffic counts given today by some of the residents are not far off from those that the traffic count study found. With that said, the street must be built with a mind for the future. It would be irresponsible to under-design a road without giving consideration to what could happen in the future.

Also, lane width is not as sensitive as people think with regard to traffic numbers. Traffic is one consideration in choosing lane width; however, it is not the only one. ODOT preferred width for an urban setting with relatively low traffic volume is 11 feet. Their minimum is 10 feet. The original recommendation was 10 ½ feet taking into consideration the school buses that will be traveling the street. Even without the middle school there, there is still a bus route. Mr. Farst wants to make it clear that the travel lane of the roadway is 21 feet.

Ms. Mershon asked Mr. Farst for his opinion on eliminating the parking in front of some resident's homes that do wish for parking.

Mr. Farst respects the fact that the residents feel like they own that area now, but there are subsequent owners and other residents that may need that parking. He believes there was good balance in the project. People that have visitors need to be accommodated. This is a public street and it's important to balance all the desires and Mr. Farst believes the staff accomplished that.

Mr. Deeds asked to clarify the ODOT minimum lane width. Mr. Sims responded that the ODOT minimum is 10 feet and the proposal is 10 ½ feet which, in his opinion, is still a really small street. The 9 foot minimum that residents have discussed only comes into play when there is a traffic count of approx. 250 cars a day.

Dr. Bender wanted to say that maybe there were mistakes made with regard to getting people involved early enough, but we have to do what's best for Canal Winchester and the people who live here. Dr. Bender restated Mr. People's comment that you have to consider safety first. Concerns have been heard and adjustments have been made that he is ready to go on with the project.

Ms. Mershon agrees, however, she believes that the residents that do not wish for parking should be accommodated.

Ms. Turner echoed Dr. Bender's sentiments that mistakes were made, but that is over now. We can't take a chance with the grant money and things hurting us in the future. We have to go on with this project.

Ms. Mershon asked about the timeline if the project was cancelled. Nanisa Osborn responded that it would put the project at least 5 years out and we would be penalized.

Mr. Sims brought back the topic of resident declining parking in front of their houses. He stated that it would cause couple problems. First, parking was one of the problems brought up by residents in the mailers sent out in 2005 and 2006 asking for resident input. So, it was an issue that we wanted to address in the project. There is a church, as well as, a COTA route on that street. Currently there is

room for 9 cars to park on the street in that area. The proposal already takes that number down to 5 parking spaces and if the resident's requests were accommodated, there would be only 2 parking spaces.

Mr. Jarvis empathizes with the residents, but he was there on the evening that the plan was unveiled and there were very few comments. He stood up and asked a few questions to get the ice broken and get people talking, but still there wasn't a strong push back at the time. Mr. Jarvis believes that when you hear someone else get upset, it tends to get you upset as well. Mr. Jarvis will be supporting the project in its current state. He is glad there were some concessions and those will be supported as well. It will never be exactly right for everyone.

Further discussion ensued as to the dates information was released to the public.

Mr. Deeds has been to Liberty Street in Columbus and it has undergone a very similar renovation. Mr. Deeds believes that the raised lanes for parking give the street a narrower visual feel.

Mrs. Rush-Ekelberry lived on Columbus Street for 17 years, from 1935-1952, and during that time many changes have taken place on the street. There have been reconfigurations of property. There are many houses that are not the original houses, nor are the original trees there. Things do change over time.

Mrs. Turner verified that the Service Committee was given the plans in February 2007.

Ms. Mershon and Mr. Jarvis discussed the ramifications of residents choosing to forego parking in front of their house.

Mr. Deeds reopened the floor to resident comments.

**Paul Bender**, of 71 W. Columbus, wanted to clarify that the residents with which he spoke gave their opinion on the original plan and not the revised plan. He didn't want to speak for them about the revisions. Also, he wanted to re-emphasize that he has never had a problem with parking and would like to give up his spot.

**Carol Degrosso** wanted to reiterate that she believes the traffic count is much lower than the numbers in the traffic study.

Mr. Farst stated that the Fire Department needs must be taken into account, to get their large equipment onto the street.

**Kathy Vasko**, of 65 W. Columbus Street, is on STAB and cannot find any notes that show anything concrete that came through the meetings. Dick Miller was meeting with the Village, but she has not seen concrete information. Mrs. Vasko pleaded that Council have better communication with the public in the future.

## **ORDINANCES:**

### **First Reading:**

Sponsor: Mr. Paini  
O-08-02A AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH QUALITY CONTROL INSPECTION, INC. FOR CONSULTING SERVICES RELATING TO CONSTRUCTION INSPECTION FOR THE PERIOD FROM JANUARY 1, 2008 THROUGH FEBRUARY 1, 2009.  
Mr. Paini read the ordinance.

Mr. Peoples stated that this would be renewing the contract with Quality Control Inspection for everyday matters, while larger projects would be bid out.

Sponsor: Mrs. Turner  
O-08-02B AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH COLUMBUS ASPHALT PAVING, INC. FOR THE COLUMBUS STREET RECONSTRUCTION - PHASE I OPWC PROJECT CC03K AND CC04K AND DECLARING AN EMERGENCY  
Mrs. Turner read the ordinance and moved to waive the rules for three readings. Mr. Jarvis seconded the motion.

**VOTE:** **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,  
Ms. Rush-Ekelberry, Ms. Turner  
**NAYS**  
Motion carried.

Mrs. Turner moved to pass Ordinance O-08-02B. Mr. Bender seconded the motion.

Mrs. Mershon moved to amend the ordinance contingent upon a change order to eliminate parking where requested.

Mr. Deeds requested to hear the Mayor's opinion.

Mayor Ebert goal in becoming Mayor was to get the people more involved. He believes there were adequate notices sent out to homes. Mayor Ebert stated he had concerns about the project in December at the public unveiling and he addressed them at that time. He didn't wait until January. All his concerns were answered to his satisfaction at the time. Mayor Ebert feels like the people have waited too long to voice concerns and believes the project should move on.

*Paini*  
Mr. ~~Deeds~~ asked specifically for the Mayor's opinion on the parking issue.

Mayor Ebert stated he did not believe the parking should be further reduced.

Mr. Deeds seconded the motion by Mrs. Mershon to amend the ordinance contingent upon a change order to eliminate parking where requested.

Further discussion ensued of the possible ramifications of eliminating more parking.

**VOTE:**       **AYES** Ms. Mershon,  
              **NAYS** Dr. Bender, Mr. Deeds, Mr. Jarvis, Mr. Paini,  
                      Ms. Rush-Ekelberry, Ms. Turner  
                      Motion declined.

Mrs. Turner again moved to pass Ordinance O-08-02B. Dr. Bender seconded the motion. Mr. Hollins clarified, for the record, a vote of yes will award the contract as bid out, with the understanding that it will be changed to the new widths proposed where possible.

**VOTE:**       **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,  
                      Ms. Rush-Ekelberry, Ms. Turner  
              **NAYS**  
                      Motion carried.

Mr. Deeds wanted to add that he believes that Staff did a nice job and has worked very hard to save the trees, accommodate safety, accommodate parking and accommodate the neighbors. He is disappointed that this may come across as a black eye on the staff.

Ms. Mershon stated that Mr. Peoples and Mr. Sims have worked incredibly hard in the past week, meeting with residents and getting the tree lawn from 2 ½ feet to 5 feet. Their work is appreciated.

Mr. Peoples responded that, in the future, they will work toward having more public comment time in order to avoid these situations in the future.

Sponsor:     Mr. Paini  
O-08-02C     AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT AT  
              & T MIDWEST FOR RELOCATION AND BURIAL OF AERIAL CABLE FOR THE  
              COLUMBUS STREET RECONSTRUCTION PROJECT AND DECLARING AN  
              EMERGENCY.  
              Mr. Paini read the ordinance and moved to waive the rules for 2<sup>nd</sup> and 3<sup>rd</sup> reading. Ms.  
              Mershon seconded the motion.

**VOTE:**       **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,  
                      Ms. Rush-Ekelberry, Ms. Turner  
              **NAYS**  
                      Motion carried.

Mr. Paini moved to adopt ordinance O-02-08. Seconded by Mr. Bender.

**VOTE:**       **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,  
                      Ms. Rush-Ekelberry, Ms. Turner  
              **NAYS**  
                      Motion carried.

Sponsor: Mrs. Turner

O-08-02D AN ORDINANCE TO ABOLISH THE NO RIGHT TURN ON RED DURING DESIGNATED TIMES RESTRICTION FROM THE INTERSECTION OF WASHINGTON ST. AND COLUMBUS ST.  
Mrs. Turner read the ordinance.

Sponsor: Mrs. Turner

O-08-02E AN ORDINANCE TO ABOLISH THE NO PARKING RESTRICTIONS ON COLUMBUS ST. WEST OF WASHINGTON ST.  
Mrs. Turner read the ordinance.

Sponsor: Mr. Deeds

O-08-02F AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE VILLAGE OF CANAL WINCHESTER, REZONING APPROXIMATELY 0.855 ACRES, LOCATED AT 202 CEMETERY ROAD, FROM GENERAL COMMERCIAL TO EXCEPTIONAL USE  
Mr. Deeds read the ordinance and moved to waive the rules requiring 2<sup>nd</sup> and 3<sup>rd</sup> reading. Ms. Mershon seconded the motion.

**VOTE:** **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,  
Ms. Rush-Ekelberry, Ms. Turner  
**NAYS**  
Motion carried.

Mr. Deeds moved to approve ordinance 03-08. Ms. Mershon seconded the motion.

**VOTE:** **AYES**  
**NAYS** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,  
Ms. Rush-Ekelberry, Ms. Turner  
Motion declined.

### Second Reading:

Sponsor: Mrs. Rush-Ekelberry

O-08-01A AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT FOR INDIGENT DEFENSE REPRESENTATION IN THE FRANKLIN COUNTY MUNICIPAL COURT AND THE CANAL WINCHESTER MAYORS COURT FOR THE CALENDAR YEAR 2008 WITH THE FRANKLIN COUNTY PUBLIC DEFENDER.  
Mrs. Rush-Ekelberry read the ordinance.

Sponsor: Dr. Bender

O-08-01B AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE VILLAGE OF CANAL WINCHESTER, REZONING APPROXIMATELY 4.895 ACRES FROM GENERAL COMMERCIAL AND LIMITED MANUFACTURING TO PLANNED COMMERCIAL DISTRICT, LOCATED AT THE NORTHEAST CORNER OF WEST WATERLOO STREET AND CEMETERY ROAD  
Dr. Bender read the ordinance.

Sponsor: Dr. Bender

O-08-01C AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH RESOURCE INTERNATIONAL INC FOR CONSULTING SERVICES RELATING TO CONSTRUCTION TESTING FOR THE PERIOD FROM JANUARY 1, 2008 THROUGH JANUARY 31, 2009.

Dr. Bender read the ordinance.

## **RESOLUTIONS:**

### **Second Reading:**

Sponsor: Mrs. Rush-Ekelberry

R-08-01A A RESOLUTION TO APPOINT ALLAN NEIMAYER AND CHRISTOPHER STRAYER AS THE VILLAGE REPRESENTATIVES TO THE FAIRFIELD COUNTY TAX INCENTIVE REVIEW COUNCIL

Mrs. Rush-Ekelberry read the ordinance.

Sponsor: Dr. Bender

R-08-01B A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LETTER OF NO OBJECTION AGREEMENT WITH COLUMBIA GAS OF OHIO, INC., REGARDING THE GROVEPORT ROAD BIKE PATH PROJECT.

**\*\*The Law Director's office requests that Council suspend the rules for this resolution so that the Bike Path project may move forward.**

Dr. Bender read the ordinance made a motion to suspend 3<sup>rd</sup> reading. Ms. Mershon seconded the motion.

**VOTE:** **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,  
Ms. Rush-Ekelberry, Ms. Turner

**NAYS**

Motion carried.

Dr. Bender moved to approve 01-08. Ms. Mershon seconded the motion.

**VOTE:** **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,  
Ms. Rush-Ekelberry, Ms. Turner

**NAYS**

Motion carried.

**Mayor's Report:** Bixby Road Interchange Development meeting will be held this Wednesday, February 6th at 3pm at the Madison Township trustee's office.

Mayor Ebert, Mr. Peoples and Mr. Strayer attended a meeting in Pickerington to discuss the land use along Diley Road after it's widening.

We are still looking for volunteers for the Community Watch Program. Sign up at the Municipal Building if interested.

**Public Works Director:**

Steve Smith is finalizing the sludge press plans with Bird & Bull Engineering to get them started this spring.

Mr. Peoples was deposed as part of the Lithopolis action again Canal Winchester. The deposition went well.

Street Department extended an offer to Chris Filigio to fill the position left when Shawn Starcher was promoted.

2008 Street CIT projects designs are being finalized.

**Development Director:**

Resolutions for TIRC members and housing tour members will be in front of Council at the next meeting. See written report.

**Community Affairs Director:**

There are still a few openings available for AARP's tax service at the Community Center from February 6<sup>th</sup> thru April 9<sup>th</sup>.

Village staff met regarding pool operations last week and there will be another meeting February 18<sup>th</sup>.

Website is coming together and slated to launch in March. Please get your bios to Carrie.

**Village Solicitor:**

No need for executive session

**Fairfield County Sheriff:**

Written report will be turned in tomorrow.

Sgt. Kern met with the Regional Director of Security for Meijer on Friday to go over protocol.

**Finance Director:**

Legislation regarding franchise fee for cable providers and legislation to establish regulations with regards to solicitors and peddlers will be coming in front of Council.

**Council Reports:**

Old Town Committee	Monday, February 11, 2008 at 5:45 PM
Finance Committee	Monday, March 3, 2008 at 5:45 PM
Service Committee	Monday, February 18, 2008 at 5:45 PM
Safety Committee	Monday, February 11, 2008 at 5:00 PM

**New Business:**

Mr. Paini requested information regarding a Skybus ad for Canal Winchester. Mr. Strayer clarified that we purchased an advertising slot on all incoming flights beginning of December thru mid-January.

Dr. Bender asked if there could be a Resolution in support of the schools and if the media would be able to help get out the word when it comes up for vote.

### Old Business:

**Adjourn to Executive Session:** Not needed at this time.


**Adjournment:**

Mr. Jarvis moved for adjournment of the meeting and Mr. Paini seconded the motion.


**VOTES:**      **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,  
                                 Ms. Rush-Ekelberry, Ms. Turner  
                                 **NAYS**

Time out: 8:55pm

Hansa K Osha  
Clerk of Council

  
President of Council

1  
February 18, 2008  
Date

  
Mayor

**NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.**